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#9
Attachment
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March 12, 2002

Commissioner for Patents
Washington, D.C. 20231

INTERNET ADDRESS:
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Art Unit 1633

Re: U.S. Utility Patent Application
Appl. No. 09/964,667; Filed: September 28, 2001
For: **Transgenic Animals and Cell Lines for Screening Drugs
Effective for the Treatment or Prevention of Alzheimer's
Disease**

Inventors: de la Monte *et al.*
Our Ref: 0609.4370005/RWE/FRC

Sir:

Transmitted herewith for appropriate action are the following documents:

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1 Information Disclosure Statement;

Listing of the cited documents on Form PTO-1449 (9 sheets);

OFFICE OF PETITIONS A copy of each of the forty (40) cited documents on Form PTO-1449; and

4. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents

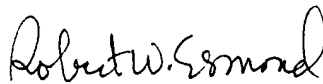
March 12, 2002

Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Robert W. Esmond
Attorney for Applicants
Registration No. 32,893

RWE:FRC:dcw
Enclosures

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In re application of:

de la Monte *et al.*

Appl. No. 09/964,667

Filed: September 28, 2001

For: **Transgenic Animals and Cell
Lines for Screening Drugs
Effective for the Treatment or
Prevention of Alzheimer's Disease**

Confirmation No. 3648

Art Unit: 1633

Examiner: *To be assigned*

Atty. Docket: 0609.4370005/RWE/FRC

Information Disclosure Statement

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of each document is provided.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following, in regards to non-English language document AL1 cited on Form PTO 1449:

Document AL1, European Patent No. EP 0 263 740, is in the French language. An English language abstract of document AL1 is attached as document AT7.

The Examiner's attention is directed to the following co-pending U.S. Patent Applications which are directed to related technical subject matter: U.S. Patent Application No. 09/380,203, filed April 25, 2000; U.S. Patent Application No. 09/964,678, filed September 28, 2001; U.S. Patent Application No. 09/964,666, filed September 28, 2001;

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and U.S. Patent Application No. 09/964,412, filed September 28, 2001. The specifications of these applications are identical to one another, and are therefore "substantially cumulative." Accordingly, pursuant to 37 CFR § 1.98(c), a single copy of this specification is submitted herewith as document AS8. The claims currently pending from US patent application Nos. 09/380,203, 09/964,678, 09/964,666, and 09/964,412 are additionally submitted herewith as documents AT8, AR9, AS9 and AT9, respectively.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

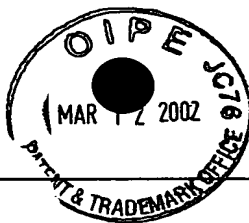
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Robert W. Esmond
Attorney for Applicants
Registration No. 32,893

Date: March 12, 2002

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FORM PTO-1449

INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.
0609.4370005/RWE/FRC

APPLICATION NO.
09/964,667

APPLICANT
de la Monte *et al.*

FILING DATE
September 28, 2001

GROUP
1633

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1	4,873,191	10/10/1989	Wagner <i>et al.</i>	435	172.3	08/18/1986
	AB1	5,168,053	12/01/1992	Altman <i>et al.</i>	435	91	08/17/1990
	AC1	5,830,670	11/03/1998	de la Monte <i>et al.</i>	435	7.2	05/30/1995
	AD1	5,948,634	09/07/1999	de la Monte <i>et al.</i>	435	69.1	11/14/1994
	AE1	5,948,888	09/07/1999	de la Monte <i>et al.</i>	530	350	05/30/1995
	AF1	6,071,705	06/06/2000	Wands <i>et al.</i>	435	7.1	06/06/1995
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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL1	EP 0 263 740	04/13/1988	Europe			Yes X No
	AM1	WO 89/03849	05/05/1989	WIPO			Yes No
	AN1	WO 90/06993	06/28/1990	WIPO			Yes No
	AO1	WO 92/07065	04/30/1992	WIPO			Yes No
	AP1	WO 94/23756	10/27/1994	WIPO			Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	1	Anderson, W.F., "Human gene therapy," <i>Nature</i> 392:25-30, Macmillan Journals Ltd. (April 1998).
AS	1	Bloch, D.B., <i>et al.</i> , "Identification and Characterization of a Leukocyte-specific Component of the Nuclear Body," <i>J. Biol. Chem.</i> 271:29198-29204, The American Society for Biochemistry and Molecular Biology, Inc. (November 1996).
AT	1	Brinster, R.L., <i>et al.</i> , "Factors affecting the efficiency of introducing foreign DNA into mice by microinjecting eggs," <i>Proc. Natl. Acad. Sci. USA</i> 82:4438-4442, National Academy of Sciences (1985).

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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL2	WO 96/15272	05/23/1996	WIPO			Yes No
	AM2	WO 96/40895	12/19/1996	WIPO			Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	2	Chiu, T.-L. and Goldstein, R.A., "Optimizing energy potentials for success in protein tertiary structure prediction," <i>Folding and Design</i> 3:223-228, Current Biology Ltd. (May 1998).
	AS	2	de la Monte, S.M., <i>et al.</i> , "Enhanced Expression of an Exocrine Pancreatic Protein in Alzheimer's Disease and the Developing Human Brain," <i>J. Clin. Invest.</i> 86:1004-1013, The American Society for Clinical Investigation, Inc. (1990).
	AT	2	de la Monte, S.M., <i>et al.</i> , "Regional and Maturation-associated Expression of Endothelin 2 in Rat Gastrointestinal Tract," <i>J. Histochem. Cytochem.</i> 43:203-209, The Histochemical Society, Inc. (1995).

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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>3</u>	de la Monte, S.M., <i>et al.</i> , "Aberrant GAP-43 Gene Expression in Alzheimer's Disease," <i>Am. J. Pathol.</i> 147:934-946, American Society for Investigative Pathology (1995).
	AS	<u>3</u>	de la Monte, S.M., and Bloch, K.D., "Aberrant Expression of the Constitutive Endothelial Nitric Oxide Synthase Gene in Alzheimer Disease," <i>Mol. Chem. Neuropathol.</i> 30:139-159, Humana Press, Inc. (January/February 1997).
	AT	<u>3</u>	Games, D., <i>et al.</i> , "Alzheimer-type neuropathology in transgenic mice overexpressing V717F β -amyloid precursor protein," <i>Nature</i> 373:523-527, Macmillan Journals Ltd. (1995).

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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>4</u>	Gossler, A., <i>et al.</i> , "Transgenesis by means of blastocyst-derived embryonic stem cell lines," <i>Proc. Natl. Acad. Sci. USA</i> 83:9065-9069, National Academy of Science (1986).
	AS	<u>4</u>	Gross, J., <i>et al.</i> , "Isolation, Characterization, and Distribution of an Unusual Pancreatic Human Secretory Protein," <i>J. Clin. Invest.</i> 76:2115-2126, The American Society for Clinical Investigation, Inc. (1985).
	AT	<u>4</u>	The Huntington's Disease Collaborative Research Group, "A Novel Gene Containing a Trinucleotide Repeat That Is Expanded and Unstable on Huntington's Disease Chromosomes," <i>Cell</i> 72:971-983, Cell Press (1993).

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Page 5 of 5

FORM PTO-1449

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APPLICATION NO.
09/964,667

APPLICANT
de la Monte *et al.*

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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>5</u>	Kosaka, K., "Dementia and Neuropathology in Lewy Body Disease," <i>Adv. Neurol.</i> 60:456-463, Raven Press, Ltd. (1993).
	AS	<u>5</u>	Lannfelt, L., <i>et al.</i> , "Alzheimer's disease: molecular genetics and transgenic animal models," <i>Behav. Brain Res.</i> 57:207-213, Elsevier Science B.V. (1993).
	AT	<u>5</u>	Marx, J., "Major Setback for Alzheimer's Models," <i>Science</i> 255:1200-1202, American Association for the Advancement of Science (1992).

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	AL						Yes No
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	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>6</u>	Ozturk, M., <i>et al.</i> , "Elevated levels of an exocrine pancreatic secretory protein in Alzheimer disease brain," <i>Proc. Natl. Acad. Sci. USA</i> 86:419-423, National Academy of Sciences (1989).
	AS	<u>6</u>	Pursel, V.G., <i>et al.</i> , "Genetic Engineering of Livestock," <i>Science</i> 244:1281-1288, American Association for the Advancement of Science (1989).
	AT	<u>6</u>	Quon, D., <i>et al.</i> , "Formation of β -amyloid protein deposits in brains of transgenic mice," <i>Nature</i> 352:239-241, Macmillan Journals Ltd. (1991).

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	AL						Yes No
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	AN						Yes No
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	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	Z	Salter, D.W., <i>et al.</i> , "Transgenic Chickens: Insertion of Retroviral Genes into the Chicken Germ Line," <i>Virology</i> 157:236-240, Academic Press, Inc. (1987).
	AS	Z	Verma, I.M. and Somia, N., "Gene Therapy- promises, problems and prospects," <i>Nature</i> 389:239-242, Macmillan Journals Ltd. (September 1997).
	AT	Z	Dialog File 351, Accession No. 88-100135/198815, Derwent WPI English language abstract for EP 0 263 740 (Document A1).

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	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>8</u>	International Search Report for International Application No. PCT/US98/03685, mailed July 9, 1998.
	AS	<u>8</u>	Pending Non-Provisional U.S. Patent Application No. 09/380,203, de la Monte <i>et al.</i> , filed April 25, 2000 and U.S. Patent Application Nos. 09/964,678, 09/964,666 and 09/964,412, de la Monte <i>et al.</i> , filed September 28, 2001.
	AT	<u>8</u>	Claims Currently Pending from U.S. Appl. No. 09/380,203, de la Monte <i>et al.</i> , filed April 25, 2000.

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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	2	Claims Currently Pending from U.S. Appl. No. 09/964,678, de la Monte <i>et al.</i> , filed September 28, 2001.
	AS	2	Claims Currently Pending from U.S. Appl. No. 09/964,666, de la Monte <i>et al.</i> , filed September 28, 2001.
	AT	2	Claims Currently Pending from U.S. Appl. No. 09/964,412, de la Monte <i>et al.</i> , filed September 28, 2001.

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